

SENATE BILL 1658

By Roberts

AN ACT to amend Chapter 158 of the Private Acts of 1927; as amended and rewritten by Chapter 1 of the Private Acts of 1989; as amended by Chapter 172 of the Private Acts of 1994; and any other acts amendatory thereto, relative to the charter of the City of Springfield.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 158 of the Private Acts of 1927, as amended and rewritten by Chapter 1 of the Private Acts of 1989, and any other acts amendatory thereto, is amended by deleting Article IV, Section 12, and substituting the following:

Section 12. Ordinance procedure. All ordinances shall begin with the clause, "Be it ordained by the Board of Mayor and Aldermen of Springfield, Tennessee." An ordinance may be introduced by any member of the Board of Mayor and Aldermen. The body of ordinances may be omitted from the minutes on first reading, but reference therein shall be made to the ordinance by title and/or subject matter. Every ordinance shall be passed on two different days, at regular, special, or adjourned meetings. Every ordinance shall be effective upon final passage unless by its terms the effective date is deferred. Every ordinance upon final passage shall be signed by the presiding officer of the Board of Mayor and Aldermen, and shall be immediately taken charge of by the Recorder, and by him numbered, copied in an ordinance book and there authenticated by the signature of the Recorder, and filed and preserved in the Recorder's office.

SECTION 2. Chapter 158 of the Private Acts of 1927, as amended and rewritten by Chapter 1 of the Private Acts of 1989, as amended by Chapter 172 of the Private Acts of 1994, and any other acts amendatory thereto, is amended by deleting Article IX, Section 14, and substituting the following:

Section 14. Competitive bidding and purchasing procedures. The City Manager shall be responsible for all city purchasing, but the City Manager may delegate this duty

to any subordinate so appointed. Competitive prices for all purchases and public improvements shall be obtained whenever practicable and in accordance with regulations established by ordinance, and the purchases made from or the contract awarded to the lowest and best bidder. The city shall have the power to reject any and all bids. Public advertisement and sealed bids shall be required in all transactions involving the expenditure of twenty-five thousand dollars (\$25,000.00) or more within one (1) fiscal year; provided, that, in cases where the Board of Mayor and Aldermen indicates by formal unanimous resolution of those present at the meeting, based upon the written recommendation of the City Manager, that it is clearly to the advantage of the city not to contract with competitive bidding, it may authorize noncompetitive contracts. Any exceptions to competitive bidding established by state law shall apply to purchases by the municipality, including, but not limited to, those exceptions set forth in Tennessee Code Annotated, Section 6-56-304. Purchasing and contract procedures not prescribed by this charter or other law may be established by ordinance.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Springfield. Its approval or nonapproval shall be proclaimed by the presiding officer of legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.